

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jerome S. Golden

Application No.: 09/541,197

Confirmation No.: 4910

Filed: April 3, 2000

Art Unit: 3691

For: **SYSTEM AND METHOD FOR PROVIDING
SECURE RETIREMENT BENEFITS VIA A
CONVERSION PROCESS**

Examiner: S. E. Chencinski

REQUEST TO REOPEN PROSECUTION UNDER RULE 41.39(B)

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Examiner's Answer dated September 15, 2009, designating new grounds of rejection, Applicant hereby submits the following amendment pursuant to Rule 41.39(b)(1) which provides an option of reopening prosecution—

“(1) *Reopen prosecution*. Request that prosecution be reopened before the primary examiner by filing a reply under § 1.111 of this title with or without amendment or submission of affidavits (§§ 1.130, 1.131 or 1.132 of this title) or other evidence. Any amendment or submission of affidavits or other evidence must be relevant to the new ground of rejection. A request that complies with this paragraph will be entered and the application or the patent under *ex parte* reexamination will be reconsidered by the examiner under the provisions of § 1.112 of this title. Any request that prosecution be reopened under this paragraph will be treated as a request to withdraw the appeal.”

Since Applicant is now “filing a reply under § 1.111 [*Reply by applicant or patent owner to a non-final Office action*],” this filing should not be treated as a Request for Continued Examination (RCE) and therefore **NO FEE IS DUE**.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 16 of this paper.